

Docket No.: 13555-00001-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Adelbert Bacher et al.

Application No.: 10/543076

Confirmation No.: 7148

Filed: July 21, 2005

Art Unit: 1621

For: ASSAY FOR INHIBITORS OF ISPH

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has one error under the name of the Applicant(s) and the Domestic Priority Data is incorrect. They are as follows:

- 1) Second Applicant should have residence shown as "Kramsach, AUSTRIA" in lieu of "Kransach, AUSTRIA"; and
- 2) The Domestic Priority data as claimed by applicant should read, "PCT/EP2004/000264".


The original Declaration, Power of Attorney and Petition was filed on September 2, 2005, a copy of which is attached hereto.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections.

As the error was made by the Patent and Trademark Office, Applicants believe no fee

is due with this request. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13555-00001-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

Roberte M. D. Makowski

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

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Attorney for Applicants



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/543,076	09/02/2005	1621	1030	13555-00001-US	1	11	2

CONFIRMATION NO. 7148

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

## FILING RECEIPT



\*OC00000019834284\*

Date Mailed: 08/01/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Adelbert Bacher, Garching, GERMANY;  
 Petra Adam, ~~Kransach~~ AUSTRIA; *KRAMSACH, AUSTRIA*  
 Wolfgang Eisenreich, Garching, GERMANY;  
 Tobias Grawert, Freising, GERMANY;  
 Stefan Hecht, Bad Aibling, GERMANY;  
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 Ferdinand Zepeck, Munchen, GERMANY;

## Assignment For Published Patent Application

Adelbert Bacher, Garching, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number **23416**.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/00264 01/15/2004 *PCT/EP2004/000264*

## Foreign Applications

GERMANY 103 02 370.4 01/22/2003

If Required, Foreign Filing License Granted: 01/31/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/543,076**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**Title**

Assay for inhibitors of isph

**Preliminary Class**

568

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ASSAY FOR INHIBITORS OF ISPH**

the specification of which was filed on January 15, 2004 as Application No. PCT/EP2004/000264.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ no such foreign applications have been filed

☒ such foreign application have been filed as follows:

Attorney Docket No.: 13555-00001-US

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
103 02 370.4	DE	January 22, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

Attorney Docket No.: 13555-00001-US


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 23416

all of Connolly Bove Lodge & Hutz LLP, 1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Bacher, Adelbert as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Please mail all correspondence to Roberte M. D. Makowski, Ph.D., whose address is:

**Connolly Bove Lodge & Hutz LLP**  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899

Please direct telephone calls to: Roberte M. D. Makowski, Ph.D. at (302) 658-9141.

Please direct facsimiles to: (302) 658-5614



Attorney Docket No.: 13555-00001-US

Full name of sole or first inventor <b>Adelbert Bacher</b>	
Sole or first inventor's signature <i>A. Bacher</i>	Date <b>07/26/05</b>
Residence	
Citizenship <b>Germany</b>	
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Second inventor's signature <i>P. Adam</i>	Date <b>08/21/05</b>
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Citizenship <b>Germany</b>	
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Full name of third inventor, if any <b>Wolfgang Eisenreich</b>	
Third inventor's signature <i>W. Eisenreich</i>	Date <b>07/26/05</b>
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Fourth inventor's signature <i>T. Gräwert</i>	Date <b>07/26/2005</b>
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Citizenship <b>Germany</b>	
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Attorney Docket No.: 13555-00001-US

Full name of fifth inventor, if any <b>Stefan Hecht</b>	
Fifth inventor's signature <i>S. Hecht</i>	Date <i>08/21/2005</i>
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Citizenship <b>Germany</b>	
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<i>08/21/05 S. Hecht</i>	

Full name of sixth inventor, if any <b>Felix Rohdich</b>	
Sixth inventor's signature <i>F. Rohdich</i>	Date <i>08/26/2005</i>
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Citizenship <b>Germany</b>	
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Full name of seventh inventor, if any <b>Ferdinand Zepeck</b>	
Seventh inventor's signature <i>F. Zepeck</i>	Date <i>08/26/2005</i>
Residence <b>München, Germany</b>	
Citizenship <b>Germany</b>	
Mailing Address <b>Wörthstr. 26 81667 München GERMANY</b>	

Full name of eighth inventor, if any	
Eighth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

406463



## Auto-Reply Facsimile Transmission



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Inventor: Adelbert Bacher et al.			
MESSAGE TO: US Patent and Trademark Office			
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Roberte M.D. Makowski, Ph.D.			
PHONE: (302) 658-9141			
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